

## FAEGRE &amp; BENSON LLP

2200 WELLS FARGO CENTER, 90 SOUTH SEVENTH STREET  
MINNEAPOLIS, MINNESOTA 55402-3901  
TELEPHONE 612-766-7000  
FACSIMILE 612-766-1600

RECEIVED  
CENTRAL FAX CENTER  
APR 11 2005

**FACSIMILE TRANSMITTAL SHEET**  
Minneapolis Document Service Center (20th Floor)  
Facsimile No. 612-766-1600

THIS TELECOPY IS INTENDED ONLY FOR THE USE OF THE PERSON TO WHOM IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

**Date:** April 11, 2005

**Time:** 10:52 <sup>a.m.</sup>  
p.m. (Minneapolis)

**Number of pages (including this page):** 3

**F&B File No.:** 75540-  
305884 **Rec.:** 927

---

**From:** Robert B. Leonard

**Telephone Number:** 612-766-8578

**To:** PALO, Francis T.

**Fax No.:** 703-872-9306

Art Unit: 3643

**Phone No.:** 703-305-3531

---

US Patent & Trademark Office, Technology Center 3600

---

<b>Inventors:</b> PETER ROBERT ABITZ et al.	<b>Examiner:</b> PALO, Francis T.
<b>App. No.:</b> 10/776,331	<b>Group Art Unit:</b> 3643
<b>Filing Date:</b> February 12, 2004	<b>Docket No.:</b> 75540-305884
<b>Title:</b> SEEDBED FOR GROWING VEGETATION	

If you do not receive all pages, please call the Fax Center at  
612/766-1650 or Theresa Belland at 612/766-6925.

RECEIVED  
CENTRAL FAX CENTER

APR 11 2005

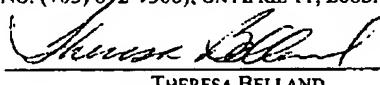
PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>Inventors:</b> PETER ROBERT ABITZ et al.	<b>Examiner:</b> PALO, Francis T.
<b>App. No.:</b> 10/776,331	<b>Group Art Unit:</b> 3643
<b>Filing Date:</b> February 12, 2004	
<b>Title:</b> SEEDBED FOR GROWING VEGETATION	<b>Docket No.:</b> 75540-305884

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

I CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE  
TRANSMITTED TO THE U.S. PATENT AND TRADEMARK OFFICE  
(FAX NO. (703) 872-9306), ON APRIL 11, 2005.



THERESA BELLAND

**RESPONSE TO RESTRICTION REQUIREMENT AND  
ELECTION OF SPECIES REQUIREMENT**

Sir:

This communication is responsive to the Office Action mailed on March 9, 2005, requiring restriction of the application. The position was taken that the claims are directed to two distinct inventions. In particular, it was noted that Group I, claims 1-50, are drawn to an article for use in growing vegetation, and Group II, claims 51-54, are drawn to a method of making an article. The Applicants hereby elect to prosecute Group I, claims 1-50. This election is made without traverse.

**Election of Species**

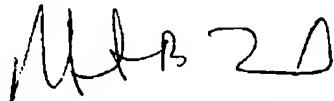
The Office Action stated that an election of species must accompany this response. Election of invention-I is represented by independent claims 1, 20 and 37. By this response, Applicants elect to prosecute invention-I represented by independent claim 1 in this application. This election is made without traverse. The claims readable on the elected invention-I are claims 1 and 2-19.

*Application No.: 10/776,331  
Response to Restriction Requirement and  
Election of Species Requirement*

Examination of the elected claims is respectfully requested. No fee is believed to be necessary. However, should any fee be required, the Commissioner is authorized to charge our Deposit Account No. 06-0029 and not.fy us of the same.

Respectfully Submitted,

PETER ROBERT ABITZ et al.



Dated: April 11, 2005

By:

---

Robert B. Leonard, #33,946  
FAEGRE & BENSON LLP  
2200 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402-3901  
612-766-8578

M2:20705847.01

Page 2 of 3